

(PCT Article 36 and Rule 70)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/010721

Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-18 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-11 _____ received by this Authority on 11.06.2005 with letter of 10.06.2005
- nos.* _____ received by this Authority on _____
- ☐ the drawings:
- sheets _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-11</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-11</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-11</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
1.	This report makes reference to the following document:		
D3:	EP-A-0 812 949 (CIBA SPECIALTY CHEMICALS HOLDING INC), 17 December 1997 (1997-12-17)		
2.	<u>INDEPENDENT CLAIM 1</u> Document D3 is regarded as the prior art closest to the subject matter of claim 1 and discloses (cf. examples 32 and 33) a process for treating cellulose-containing textiles from which the subject matter of claim 1 differs in that: <p>(1) a preliminary treatment is carried out, and</p> <p>(2) the copolymer is partially hydrolysed.</p> <p>The subject matter of claim 1 is thus novel (PCT Article 33(2)).</p> <p>The present invention can therefore be considered to address the problem of devising a process for treating cellulose-containing textiles which avoids ring dyeing.</p>		

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)) because D3 (cf. page 5, lines 34-38) states that the process described therein can be a preliminary treatment; it would thus be obvious for a person skilled in the art to include the above-mentioned feature 1. However, D3 does not indicate that the use of a partially hydrolysed copolymer in accordance with the present claim 1 could avoid ring dyeing.</p> <p>3. <u>DEPENDENT CLAIMS 2-6</u></p> <p>Claims 2-6 are dependent on claim 1 and thus also meet the PCT novelty and inventive step requirements.</p> <p>4. <u>INDEPENDENT CLAIM 7</u></p> <p>Document D3 is regarded as the prior art closest to the subject matter of claim 7 and discloses (cf. examples 32 and 33) a cellulose-containing textile from which the subject matter of claim 7 differs in that a partially hydrolysed copolymer is located on the textile.</p> <p>The subject matter of claim 7 is thus novel (PCT Article 33(2)).</p> <p>The present invention can therefore be considered to address the problem of providing a cellulose-containing textile which can be dyed without undesirable ring dyeing.</p>

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	<p>The solution to this problem, as proposed in claim 7 of the present application, involves an inventive step (PCT Article 33(3)) because D3 does not indicate that ring dyeing could be avoided if a partially hydrolysed copolymer in accordance with the present claim 1 were applied to the textile.</p> <p>5. <u>CLAIMS 8-10</u></p> <p>The subject matter of claims 8 and 9 is characterised by the subject matter of claim 7, and thus also meets the PCT novelty and inventive step requirements.</p> <p>Claim 10 is dependent on claim 9 and thus also meets the PCT novelty and inventive step requirements.</p> <p>6. <u>INDEPENDENT CLAIM 11</u></p> <p>Document D3 is regarded as the prior art closest to the subject matter of claim 11 and discloses (cf. examples 32 and 33) a dyed cellulose-containing textile from which the subject matter of claim 11 differs in that a partially hydrolysed copolymer in accordance with the present claim 1 is located on the textile.</p> <p>The subject matter of claim 11 is thus novel (PCT Article 33(2)).</p> <p>The present invention can therefore be considered</p>

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	<p>to address the problem of providing a dyed cellulose-containing textile without ring dyeing.</p> <p>The solution to this problem, as proposed in claim 11 of the present application, involves an inventive step (PCT Article 33(3)) because D3 does not indicate that ring dyeing could be avoided if a partially hydrolysed copolymer in accordance with the present claim 1 were applied to the textile.</p>